

of the 13 we agreed to done. They now have reneged on the deal to do the 13th. This bicameral, bipartisan bill deserves a vote in the House. It would pass, I repeat.

The chairman of the House Foreign Affairs Committee said this:

There's a clear majority in the Senate and the House to pass this legislation.

You cannot govern by shutting down essential lifesaving departments of the Federal Government.

The junior Senator from Illinois said yesterday:

As a governing party, we've got to fund DHS and say to the House, "Here's a straw so you can suck it up." . . . this battle should be the end of the strategy of attaching whatever you're upset at the president [about] to a vital piece of government.

Yesterday Congressman PETER KING of New York put it more bluntly when he said:

We can't allow DHS not [to] be funded. People think we're crazy. There're terrorist attacks all over the world, and we're talking about closing down Homeland Security. This is like living in the world of the crazy people.

Congressman KING went on to say:

I've had it with this self-righteous, delusional wing of the party that leads us over the cliff. . . . It says a lot about the party. It means trouble. How many times can we go over the cliff and survive?

I agree with his sentiments. This isn't just about the Republican Party, this is about our country. How many times can House Republicans send our Nation hurtling toward a cliff?

I listen very closely to the prayer virtually every day. Among other things, the Senate Chaplain, Dr. Barry Black, said, in speaking to our Heavenly Father, "Remind them that lawmakers can work miracles with cooperation but accomplish little with legislative brinksmanship." That was in the prayer offered here this morning.

How many times can we narrowly avert catastrophe just so Republicans get a gold star from radical pundits? They need to do the right thing and pass the Senate's clean bill—pass it today and quickly.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 240, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 240) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Pending:

McConnell (for Cochran) amendment No. 255, in the nature of a substitute.

McConnell amendment No. 256 (to amendment No. 255), to change the enactment date.

McConnell amendment No. 257 (to the language proposed to be stricken by amendment No. 255), to change the enactment date.

McConnell amendment No. 258 (to amendment No. 257), of a perfecting nature.

McConnell motion to commit the bill to the Committee on Appropriations, with instructions, McConnell amendment No. 259, to change the enactment date.

McConnell amendment No. 260 (to the instructions) amendment No. 259), of a perfecting nature.

McConnell amendment No. 261 (to amendment No. 260), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be equally divided in the usual form.

The Senator from Maryland.

Ms. MIKULSKI. Madam President, as the vice chair of the Committee on Appropriations, I rise to speak on the Homeland Security funding bill.

This morning the Senate moves to fulfill its responsibility—its national responsibility—to pass the Homeland Security bill which would fully fund the Department through the fiscal year 2015. This fulfills a constitutional oath we Senators took to protect and defend the Constitution and the people of the United States against all foes, foreign and domestic. The domestic is here today. The domestic is in homeland security. The domestic is in what we need to do to fulfill our responsibility. We take oaths to the Constitution. We say we want a constitutionally driven government. So do I. We need to get off of our press releases and pass this bill.

I am really proud of the fact that we on the Committee on Appropriations did our job, and we did it in December. The subcommittee chairs of Homeland Security did their due diligence and came up with an affordable framework for funding the Homeland Security bill. It met the bottom line, met the budget caps, but also met our compelling national security needs.

Congressman HAL ROGERS in the House, for whom I have nothing but great respect, and I came to a fiscal agreement, but we did not have the ability to move it forward because there were those who wanted to delay putting it in the omnibus because they were having a temper tantrum with the President of the United States over his Executive authority. Could he move his Executive authority on the topic of immigration? So there was a solution to delay the funding so that we could have cooler heads prevail: Oh golly, do it after the election. And once again we punted and delayed and parsed, punted and issued press releases. That is what we got out of the House and somewhat out of the Senate.

Where are we today? Thanks to the leadership of the two leaders, Senators MCCONNELL and REID, we have a path forward. I urge my colleagues to look at this path. The significant part of it is to pass a clean funding bill to make sure Homeland Security is funded the entire year so we can meet the needs of the national programs, such as the

Coast Guard, and make sure that grants go out to our first responders, who are truly our boots on the ground, such as volunteer fire departments that right now are out there in some parts of our communities getting sick people out with snowmobiles. Senator COLLINS of Maine and I have talked about her Maine and my Garrett County, where, when we have had a hurricane, these people go and get elderly people out on Zodiacs, sometimes wading through water and wondering if they are going to step on power lines.

We have to get real here. There are those who want to increase defense funding so we can protect America against ISIL. We protect America from ISIL right here in this bill. You want to protect America, vote for the clean funding bill. You want to protect America's border, fight for the funding bill. You want to make sure we don't have illegal aliens in this country, make sure you are funding the Border Patrol—23,000 people all in uniform out there on the border manning the best technology we can afford. So whatever we say we want to do, this is the way to do it. This is the way to do it.

We understand the Senate would also like to debate immigration. We respect that viewpoint. We also respect that the matter that is of concern about the President's Executive authority is going through the courts. Don't punish the Border Patrol agent, don't punish the person working in the Coast Guard out on an ice cutter, don't punish the volunteer firefighter because you are angry at Obama. I say to my folks on my side of the aisle, make sure we vote to pass a clean funding bill here today. And I say also to the other side of the aisle to do it.

I really appreciate the fact that Senator REID and Senator MCCONNELL have arrived at this parliamentary Senate vote to get us where we need to be going. But I say to my friends in the House, to delay this 3 more weeks is reckless and it is dangerous. What are we going to know? We are waiting for the courts to decide? Who knows when the courts will decide. What we do know is not what the courts will decide, but we know we have a legal process. A judge has made a decision. It will go through the court of appeals, maybe even to the Supreme Court. Let the court follow its process. But in the meantime, while the courts are doing their job, can we at least get around to doing our job so that the men and women who provide for us and fight every day, whether it is the local volunteer fire department or our Secret Service, our Coast Guard, or those working in cyber security—and the Director of National Intelligence, Director Clapper, says cyber security is a bigger threat than ISIL—can do theirs?

So let's get on with it, and let's fulfill our constitutional responsibility when we said we take the oath to protect America against all enemies, foreign and domestic.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise in strong opposition to stripping off all of the House language from the Homeland Security funding bill and proceeding with a “clean bill.”

I do so because I took a constitutional oath, and I take that oath very seriously. The language which we are debating in the Homeland Security funding bill from the House goes directly to that oath and goes directly to that responsibility. It does so for two reasons.

First of all, this Executive amnesty, which has about 5 million illegal aliens getting blanket significant amnesty because of the President's Executive action, is a big deal. It is a big deal in terms of policy. It is a big deal regarding his overreaching his legal and constitutional authority.

First, policy. It is a fundamental rule of economics—it is a fundamental rule of life—that when you reward behavior, you get more of it. When you penalize certain behavior, you get less of it.

A blanket overarching amnesty which gives about 5 million illegal aliens in the country here amnesty is rewarding behavior. It is rewarding behavior we say we want to curtail, we say we want to stop, but we are rewarding it, and we are going to get more of it. That is not just me saying that theoretically. We have lived that over and over again.

The President a few years ago took a similar but smaller Executive action commonly referred to as DACA. That focused on younger illegal aliens. Guess what. Soon after that action, a wave of new young illegal minors, unaccompanied minors, started coming into this country in numbers like we had never seen before.

Does anyone think that was unrelated? Does anyone think that timing was just coincidence? Of course it wasn't. The President rewarded illegal crossings and—surprise, surprise—he got a whole lot more of them in exactly the class—younger, illegal, unaccompanied minors—that he had acted on through DACA.

So this is going to happen again on a much larger scale. We are going to grow the problem through this policy, not get control of it.

The second concern I have is even far more fundamental, because it goes to his constitutional power and authority, and the fact that he is going well beyond that constitutional power and authority, I think, clearly.

Presidents have significant authority. They are the Executive. They need to execute the law. In executing the law, they often have to fill in the blanks, fill in the details that Congress has not fully provided. But that is very different from acting contrary to the law—180 degrees contrary to statutory law—and that is what the President is doing in this instance. No President has that authority. If they want to do that, they need to change the law. As

every schoolkid knows, that goes through Congress, and then the President obviously has a role in terms of a veto. But the President doesn't want to do that. He can't do that. Congress disagrees with him. So he is just changing the law with the stroke of a pen. That is what is clearly illegal and unconstitutional, because he is acting contrary to statutory law.

Some of his apologists—including Loretta Lynch, for example—say: Well, every President can set prosecution priorities. We are simply setting priorities. We are simply saying this class of folks is not a priority for legal action, deportation prosecution.

I asked Ms. Lynch directly after she said that: Isn't it true the President is going beyond that? Isn't it true he is giving this entire class of illegal aliens a new legal status? She had no substantive response.

I said: Isn't it true the President is going beyond that? He is creating a new document out of thin air, with “work permit” at the top, and handing it to these illegal aliens and suggesting they now have a right to work legally in this country, even though statutory law makes it crystal clear they do not. She had no substantive answer to that.

I urge my colleagues not to strip out this important House language. The President's action is bad policy that will grow the illegal immigration problem, and it is acting clearly beyond his legal constitutional authority.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, this morning we have the opportunity to accomplish two important goals.

First, we can pass legislation which will fully fund the Department of Homeland Security so it can perform its vital mission.

Second, we have the opportunity to stand up for our constitutional system of separation of powers.

I support and voted for comprehensive immigration reform. But the President's overreach usurps the role of Congress and undermines our constitutional system of checks and balances.

The failure of Congress to pass a law to the President's liking cannot become an excuse for the President to usurp the powers of the legislative branch.

The President knows he lacks the authority to write the law. He has said so 22 times, on 22 different occasions.

Allow me to describe my bill very briefly. Specifically, it does four things.

First, it bars the administration from using funds to implement the immigration orders issued by the President in November of last year.

Second, it has absolutely no effect on the much more constrained and limited Executive orders the President issued in 2012, the so-called DACA Program that protects the DREAMers, to whom I am very sympathetic.

Third, it directs the Department to give the highest enforcement priority to the deportation of foreign nationals in our country illegally who have been convicted of domestic violence, child abuse, exploitation, or a sex crime. Why would we want to keep in this country someone who is deportable who is a sex offender, who has been convicted of child molestation or domestic violence? It makes no sense.

Ironically, just this week the Senate Judiciary Committee held an excellent hearing on sex trafficking. We heard heartbreaking stories of very young girls who had been abused by men. If there are foreign nationals in this country who have been convicted of these crimes, they should be deported.

And, fourth, it includes a sense-of-the-Senate resolution that the executive branch should not act to give foreign nationals who are here illegally an edge in competing for jobs against American citizens or legal residents with green cards.

The Founders gave us a system of separation of powers and checks and balances not to tear us apart but to pull us together. They gave us no shortcuts on purpose.

The President's November 2014 Executive actions are ill-advised precisely because they attempt to shortcut the process by usurping Congress's authority to pass legislation.

My legislation would block that effort without in any way altering or diminishing the more constrained and important 2012 DACA Program.

I want to see the Department of Homeland Security fully funded. It has an absolutely vital mission at a time when our country faces numerous threats.

I urge my colleagues this morning both to vote for the clean DHS bill and for my legislation to stand up for the role of Congress in our constitutional system.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, how much time is remaining on the Democratic side?

The PRESIDING OFFICER. There is 4 minutes remaining on the Democratic side.

Mr. DURBIN. Madam President, let me say at the outset Senator COLLINS is my friend and colleague, and we have worked on many things together. I respect her especially because the Department of Homeland Security was literally her creation, along with Senator Lieberman and others.

The fact that we have now agreed on a bipartisan basis to set aside this immigration debate and to fully fund this critical Department is the right thing to do. A 98-to-2 vote is unusual on the Senate floor. It reflects the fact that we finally reached that consensus on funding the Department of Homeland Security. I hope our vote later today also reflects that. But I do take exception to some of the statements she has made about her own measure which she is offering.

First I would like to invite her—and I am sure she has been there a thousand times—to walk down this corridor and look up the staircase to the painting, a painting that shows Abraham Lincoln with his Cabinet. It is the moment when he signed an Executive order. President Lincoln signed an Executive order, and with that Executive order 152 years ago, the Emancipation Proclamation freed 3 million slaves in the United States of America.

Barack Obama is not the first President to issue an Executive order nor is he the first President to issue one which affects millions of people. Which President held the record for an Executive order giving rights to 1.5 million immigrants in this country before Barack Obama? George Herbert Walker Bush. In fact, virtually every President since Eisenhower has issued an Executive order relative to immigration. Now we didn't see Republican hair on fire when it was being done by President George W. Bush or George Herbert Walker Bush. It is only when Barack Obama does it that they scream and rage it is unconstitutional. Yet let's look at the argument they are making.

Senator COLLINS is making the argument that the Executive order signed by President Obama, known as DACA, that affected children who might qualify under the DREAM Act and could protect up to 2 million young people in America, was legal. I agree. She says her bill that she is offering today reflects that.

Then she says that 2 years later, when the President issued an Executive order that could protect on a temporary basis up to 5 million, that was clearly unconstitutional. What is the difference? Well, it is a difference the courts will have to try to resolve. I think we ought to think twice before we try to defund or repeal the President's Executive orders of November 2014.

President Obama makes it clear that if you are the parent of an American citizen child or a legal resident alien child, you have to come forward, pay a filing fee, submit your name for a criminal background check, and if you have a bad criminal record, you are gone. If your record clears and you have no criminal history to be concerned about, then you can work in the United States on a temporary basis for 2 years. That is it. It doesn't give you permanent citizenship or legal status beyond that.

Isn't it better that our country be safe enough to know that these millions of people are no threat to us, where they live, who they work for? I think that makes sense.

It is a shame Congress hasn't done it. We can still do it, and I hope we will. But the Collins approach, sadly, is going to deny that, and it is going to say, frankly, that the priorities currently set for deportation of dangerous people will be swept away but for the specified crimes which she includes in her bill.

I will state that the President's Executive order already covers every one of those offenses—every one of those felonies. So Ms. COLLINS is not adding anything to the debate. I know that the Senator offered this in good faith, and I believe she can be an important part in finding a bipartisan solution to the immigration question. But I urge my colleagues to reject the Collins bill that comes before us today. It was a bill crafted in the House of Representatives in anger over the President's Executive order. It does not protect DACA and the DREAMers, and that is why the immigration groups to a person have come out against the Collins amendment.

I hope my colleagues will join me in voting against the measure.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, I ask unanimous consent that all votes after the first vote be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 240, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015.

Mitch McConnell, Orrin G. Hatch, Susan M. Collins, Lindsey Graham, Daniel Coats, Thad Cochran, Roger F. Wicker, John Barrasso, Jeff Flake, John McCain, Mark Kirk, Kelly Ayotte, Lamar Alexander, Lisa Murkowski, Bob Corker, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 240, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 31, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—68

Alexander	Baldwin	Bennet
Ayotte	Barrasso	Blumenthal

Booker	Graham	Murphy
Brown	Hatch	Murray
Cantwell	Heinrich	Nelson
Capito	Heitkamp	Peters
Cardin	Heller	Reed
Carper	Hirono	Reid
Casey	Johnson	Rounds
Coats	Kaine	Sanders
Cochran	King	Schatz
Collins	Kirk	Schumer
Coons	Klobuchar	Shaheen
Corker	Leahy	Stabenow
Cornyn	Manchin	Tester
Donnelly	Markey	Thune
Durbin	McCain	Toomey
Enzi	McCaskill	Udall
Feinstein	McConnell	Warner
Flake	Menendez	Warren
Franken	Merkley	Whitehouse
Gardner	Mikulski	Wyden
Gillibrand	Murkowski	

NAYS—31

Blunt	Hoeven	Rubio
Boozman	Inhofe	Sasse
Burr	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Vitter
Ernst	Portman	
Fischer	Risch	
Grassley	Roberts	

NOT VOTING—1

Boxer

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 31.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to commit falls as inconsistent with cloture.

Under the previous order, all postcloture time is yielded back with the exception of 10 minutes for the Senator from Utah, Mr. LEE, or his designee.

The Senator from Utah.

Mr. LEE. Madam President, in November 2014, the President of the United States issued a series of Executive orders effectively granting amnesty to millions of people who were in the United States unlawfully, outside of what our laws allow—laws passed by Congress and signed into law by the President of the United States.

In other words, under article I, section 8, we, as a Congress, are given power to establish a uniform system of laws governing immigration and naturalization. If our laws allow someone to come in, they may come in, but if they do not, then those people need to make sure they go about getting into the country legally and lawfully.

If and when the President of the United States, or anyone else for that matter, thinks these laws are inadequate, there is a way to change them. The way to change them is to go back to the Congress of the United States, go back to the lawmaking body, go back to that entity recognized in article I, section 1 of the Constitution, to the very first substantive line which says, "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

Unfortunately, the President of the United States chose not to change the

law that way. Unfortunately, the President of the United States, contradicting his own prior statements, chose to take Executive action to legalize millions of people currently in the United States illegally.

Ultimately, this is an issue that ought to be of concern to every one of us. It is an issue that is neither Republican nor Democratic. It is neither liberal nor conservative. It is simply an American issue. It is simply an issue that flows from the rule of law, flows from the notion that ours is a system that runs under the rule of law and not under the rule of individuals.

There is a means by which we as a Congress can resist the encroachments of an overreaching Chief Executive. It is the same means identified by James Madison in the Federalist papers, and that means involves the use of the power of the purse.

Congress, of course, funds the operations of the Federal Government. The President of the United States cannot do that all on his own. So should we choose to do so, as Congress has chosen to do on so many other occasions—when we see something within the government, whether implemented legally at the outset or not, when we see something we don't like, we can choose not to fund that.

We have, over the last few weeks, tried to do precisely that in response to this Executive action. One month ago the House of Representatives passed a bill to keep the Department of Homeland Security funded, with the understanding that at midnight tonight that funding stream would expire. At the time the House of Representatives passed that legislation, the House of Representatives—a body most accountable to the people at the most frequent intervals—made a decision. They said, We are going to keep everything else within the Department of Homeland Security funded, and the House of Representatives said, We will, however, direct the Department of Homeland Security not to spend any money implementing certain Executive orders issued by the President, in November 2014 and previously, dealing with Executive amnesty.

The Senate has been trying to proceed to that bill for nearly 4 weeks. Unfortunately, my colleagues on the other side of the aisle have refused to allow us to proceed to that bill. They have blocked our attempts. They have engaged in obstruction and they have not allowed us to proceed to it. Why? Because they didn't like that appropriations rider. They didn't like that spending restriction. Apparently, they do not think we should be exercising that power described by James Madison and foreseen by our Founding Fathers as that last great protection against an overreaching Executive. So they refused to allow us to get onto the bill.

As we are on the verge of getting on the bill—as we are just getting onto the bill—all of a sudden, they say, OK,

we are OK with doing this as long as we are the only ones who get to offer amendments, as long as we get our amendment—the amendment that strips out all of the spending limitation language in the House-passed bill. We are OK with it as long as we, the Democrats, get our amendment, but no Republican gets his or her amendment. That isn't fair.

I wish to make clear that those of us who are supporting this have not objected to the running of the time. Those of us who are supporting this have not objected to anyone else getting amendments. Those of us who are supporting this simply want a vote. We want a vote on a product that is even narrower than what was sent over from the House of Representatives.

In a moment I will be calling up my amendment No. 265 and I will be asking this body to consider it and vote on it. What it says is that we will not allow the Department of Homeland Security to spend any money on implementing the November 2014 Executive amnesty Executive order. That is what we are trying to do. In the event it is objected to, then I will be moving to table the procedural mechanism by which other amendments are being blocked.

I implore all of my colleagues to remember themselves as operating within the constitutional framework, in which, far more than our status as Democrat or Republican, as liberal or conservative, we are here to defend our own power, our own authority that we have been given by our own people.

I urge all of my colleagues to support this amendment.

I ask unanimous consent to call up my amendment No. 265.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

VOTE ON AMENDMENT NO. 258

Mr. LEE. Madam President, I move to table the McConnell amendment No. 258 for the purposes of offering my amendment No. 265, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 65, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—34

Blunt	Crapo	Hatch
Boozman	Cruz	Hoever
Burr	Daines	Inhofe
Capito	Ernst	Isakson
Cassidy	Fischer	Lankford
Cotton	Grassley	Lee

Moran
Paul
Perdue
Portman
Risch
Roberts

Rubio
Sasse
Scott
Sessions
Shelby
Sullivan

Thune
Toomey
Vitter
Wicker

NAYS—65

Alexander
Ayotte
Baldwin
Barrasso
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coats
Cochran
Collins
Coons
Corker
Cornyn
Donnelly
Durbin
Enzi
Feinstein

Flake
Franken
Gardner
Gillibrand
Graham
Heinrich
Heitkamp
Heller
Hirono
Johnson
Kaine
King
Kirk
Klobuchar
Leahy
Manchin
Markey
McCain
McCaskill
McConnell
Menendez
Merkley

Mikulski
Murkowski
Murphy
Murray
Nelson
Peters
Reed
Reid
Rounds
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Tillis
Udall
Warner
Warren
Whitehouse
Wyden

NOT VOTING—1

Boxer

The motion was rejected.

AMENDMENT NOS. 258, 257, AND 256 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, amendment Nos. 258, 257, and 256 are withdrawn.

AMENDMENT NO. 255

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on amendment No. 255, offered by the Senator from Kentucky, Mr. McCONNELL.

Who yields time?

Ms. COLLINS. We yield back our time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is on agreeing to the amendment.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 33, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—66

Alexander	Donnelly	Klobuchar
Ayotte	Durbin	Leahy
Baldwin	Enzi	Manchin
Barrasso	Feinstein	Markey
Bennet	Flake	McCain
Blumenthal	Franken	McCaskill
Booker	Gardner	McConnell
Brown	Gillibrand	Menendez
Cantwell	Graham	Merkley
Cardin	Hatch	Mikulski
Carper	Heinrich	Murkowski
Casey	Heitkamp	Murphy
Coats	Heller	Murray
Cochran	Hirono	Nelson
Collins	Johnson	Peters
Coons	Kaine	Reed
Corker	King	Reid
Cornyn	Kirk	Rounds

Sanders	Stabenow	Warner
Schatz	Tester	Warren
Schumer	Thune	Whitehouse
Shaheen	Udall	Wyden

NAYS—33

Blunt	Grassley	Roberts
Boozman	Hoeven	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Toomey
Ernst	Portman	Vitter
Fischer	Risch	Wicker

NOT VOTING—1

Boxer

The amendment (No. 255) was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to a vote on passage of H.R. 240, as amended.

The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, the Senate is about to vote on a full-year funding bill for the Department of Homeland Security. All of us in this Chamber understand that we need to support the Department because they are critical to defending the homeland. If we want to fight ISIL, then we can fight them here at home by passing the bill to fully fund DHS.

We can keep Homeland Security on the job. We can keep breaking the ice to keep the economy moving on our lakes and our oceans. We can secure our borders. We can prevent attacks from terrorists. Our enemies are watching. Now it is time to defend America. I urge all of my colleagues to vote yes on this full funding bill.

Mr. MCCONNELL. I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—68

Alexander	Booker	Casey
Ayotte	Brown	Coats
Baldwin	Cantwell	Cochran
Barrasso	Capito	Collins
Bennet	Cardin	Coons
Blumenthal	Carper	Corker

Cornyn	King
Donnelly	Kirk
Durbin	Klobuchar
Enzi	Leahy
Feinstein	Manchin
Flake	Markey
Franken	McCain
Gardner	McCaskill
Gillibrand	McConnell
Graham	Menendez
Hatch	Merkley
Heinrich	Mikulski
Heitkamp	Murkowski
Heller	Murphy
Hirono	Murray
Johnson	Nelson
Kaine	Peters

NAYS—31

Blunt	Hoeven	Rubio
Boozman	Inhofe	Sasse
Burr	Isakson	Scott
Cassidy	Lankford	Sessions
Cotton	Lee	Shelby
Crapo	Moran	Sullivan
Cruz	Paul	Tillis
Daines	Perdue	Vitter
Ernst	Portman	Wicker
Fischer	Risch	
Grassley	Roberts	

NOT VOTING—1

Boxer

The bill (H.R. 240), as amended, was passed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the motion to proceed to S. 534.

The Senator from Maine.

Ms. COLLINS. Madam President, my bill would block the extraordinarily broad immigration actions issued by the President in November of last year. The President himself knows he lacks the authority to take such actions—he has said so publicly on 22 occasions.

I support comprehensive immigration reform. But the President's 2014 Executive order overreach usurps the role of Congress, and undermines our system of checks and balances. We must stand tall for the separation of powers doctrine in our Constitution.

We can do so while protecting the much more limited June 2012 Executive order that created the so-called DACA program that benefits DREAMers. Under my bill, the DACA program will continue just as it was designed by the President in 2012.

Madam President, I yield back all time on this side.

The PRESIDING OFFICER. All majority time is yielded back.

All time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes.

Mitch McConnell, Susan M. Collins, John Thune, Cory Gardner, Lamar Alex-

ander, Daniel Coats, James Lankford, John Barrasso, John McCain, Bill Cassidy, Roger F. Wicker, John Hoeven, Lisa Murkowski, Jeff Flake, Shelley Moore Capito, Ron Johnson, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 534, a bill to prohibit funds from being used to carry out certain Executive actions related to immigration and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—57

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heitkamp	Rounds
Coats	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCain	Vitter
Enzi	McCaskill	Wicker

NAYS—42

Baldwin	Heinrich	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	McConnell	Stabenow
Casey	Menendez	Tester
Coons	Merkley	Udall
Durbin	Mikulski	Warner
Feinstein	Murphy	Warren
Franken	Murray	Whitehouse
Gillibrand	Nelson	Wyden

NOT VOTING—1

Boxer

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to